

LGBT Employees in the Hungarian Labor Market

Judit Takács

1 Introduction

Same-sex activity between consenting adults was decriminalized in Hungary by 1961. After the political system change, social attitudes towards homosexuality became somewhat more permissive than before (Takács 2007). However, there have been several manifestations of institutionalized discrimination against lesbian, gay, bisexual and trans (LGBT) citizens, including the different age of consent for same-sex and different-sex partners before 2002, the present lack of legal institutions such as same-sex marriage or any forms of joint adoption by same-sex couples, the lack of legislation on gender recognition and disproportionately low funding for gender reassignment treatments for transgender persons, and most recently an exclusionary definition of family—being based on marriage and the relationship between parents and children—in the fourth amendment to the Fundamental Law in 2013. In present day Europe, Hungary belongs to those homophobic societies where the acceptance of the freedom of LGBT lifestyles is not at all well developed, an aspect which can play an important role in the functioning of social exclusion mechanisms affecting gay men and lesbian women (Takács and Szalma 2011; Takács 2015).

In the present Hungarian labor market context there are only very few visible signs that lesbian, gay, bisexual or trans workers exist at all. These include the LGBT Employees Resource Groups that are established in a few multinational companies (such as IBM and Morgan Stanley), and LGBT employment related cases of the Equal Treatment Authority. Even though the existing Hungarian equal treatment legislation provides an appropriate legal framework for protecting LGBT

J. Takács (✉)

Institute of Sociology, Centre for Social Sciences, Hungarian Academy of Sciences, Budapest, Hungary

e-mail: takacs.judit@tk.mta.hu

people from workplace discrimination, there can be serious problems with its practical implementation. Most LGBT employees are not aware of their rights, and only very few workplaces have diversity policies or anti-discrimination codes of conduct, which are not only theoretically but also practically in place.

Since the establishment of the Equal Treatment Authority in 2005 there has been a low but steady number of complaints submitted by LGBT people (annually about five cases): most of the cases were submitted by gay men, a few by trans people and very few by lesbian women. There are many more complaints submitted on other grounds, mainly on the grounds of disability and Roma ethnic origin (annually 50–80 cases), and motherhood (annually 30–50 cases) (EBH 2015). Most complaints are employment related and typically harassment cases; this is also true of the LGBT cases. In employment discrimination cases most complainants typically turn to the Equal Treatment Authority after they have already left the workplace where they had been victimized, or when they get to the state that they are ready to leave and look for another job.

Several studies conducted with LGBT respondents point to the problems deriving from their social invisibility. Previous research findings indicate that those “lesbians and gay men who have escaped social condemnation have, more often than not, lived a life hidden from public view, altering behavior, avoiding certain places and people in an effort to retain an outward ‘air’ of heterosexuality. . . In contrast, those who have lived openly have often faced social, political, economic and religious condemnation, sometimes receiving the blame for acts or events that are unrelated to their sexual orientation” (Rivers and Carragher 2003, p. 375). Others refer to the life strategy based on the decision to remain hidden in privacy—as a form of “unbearable comfort” (Švab and Kuhar 2005), which can also have high personal costs—in order to avoid negative experiences and discrimination.

Discrimination against LGBT people can remain hidden in many instances because coming out of invisibility is a very critical process for most LGBT people, involving risks of being ostracized in a heteronormative social environment. However, if disadvantages are not made socially recognizable, it is very hard to articulate interests and defend rights. The hidden nature of discrimination against LGBT people can also be explained in part by the lack of appropriate responsiveness and incentives on the institutional level. Institutions may exist but function inefficiently and this can also contribute to the fact that certain forms of discrimination remain hidden.

The level of legal and social invisibility of trans people seems to be especially high. For example, in contrast to the EU level protection that provided gay, lesbian and bisexual people with the prohibition of discrimination based on sexual orientation in the employment directive, trans people are not protected explicitly from discrimination based on gender identity or gender expression. Although the case law of the European Court of Justice has recognized that gender identity is covered under sex discrimination (Case P v. S. and Cornwall County Council 1996) and the Gender Directive mentions gender reassignment in its recital (Recital 3 of the Directive 2006/54/EC of the European Parliament and of the Council of 5 July

2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) states that the principle of equal treatment “also applies to discrimination arising from the gender reassignment of a person”—Transposition of Recast Directive 2006/54/EC 2011), the awareness of this protection is extremely limited amongst trans people, decision-makers and society in general.

2 European Data on Sexual Orientation and Gender Identity Based Discrimination

There is comparative European data available on sexual orientation and gender identity based discrimination in the Special Eurobarometer (2008, 2009, 2012) large scale general population surveys, conducted in 2008, 2009, and 2012 within all European Union member states (more precisely: data on gender identity based discrimination can be found only in the last survey). Additionally, an online survey with a huge ($N = 93.076$) self-selected sample of persons aged 18 years or over, with self-identification of being lesbian, gay, bisexual or transgender, was conducted in 2012 in 27 EU member states and Croatia by Gallup Europe with the active cooperation of ILGA-Europe (the European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association) and its member organizations. The results of this survey serve to illustrate certain trends as well as their local variations regarding the discrimination experiences and perceptions of LGBT people in Europe. For example, awareness of a law that forbids discrimination against persons because of their sexual orientation when applying for a job characterized only 31 % of the Hungarian respondents, while the average rate was 56 % among the European respondents (FRA 2014).

Figure 1 provides an overview of the perceived prevalence of sexual orientation based discrimination within 20 selected European countries, including Hungary, according to the results of the Eurobarometer surveys conducted in 2009 and 2012. The figure shows the proportion of the “very widespread” and “fairly widespread” answers to the question on how widespread or rare sexual orientation based discrimination is in a given country.

Figure 2 presents 2012 data from the same countries on the perceived scope of sexual orientation as well as gender identity based discrimination (by showing the proportion of the “very widespread” and “fairly widespread” answers to the questions on how widespread or rare sexual orientation and gender identity based discrimination is in a given country). However, caution is advised when interpreting these results: we should keep in mind that these are perceptions that can reflect more the levels of discrimination-awareness (largely depending on the specific socio-cultural norms and practices of the examined societies) than the actual scope of discrimination. According to the Hungarian findings there was hardly any change regarding the perceived prevalence of sexual orientation based

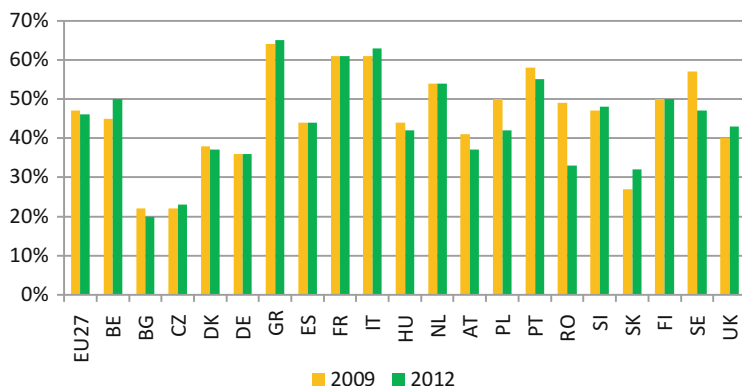


Fig. 1 Perceived prevalence of sexual orientation based discrimination (2009, 2012). *Source:* Special Eurobarometer 317, 393 (2009, 2012)

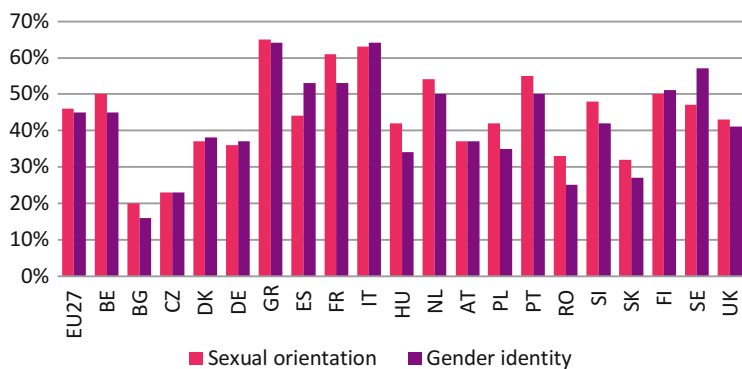


Fig. 2 Perceived prevalence of sexual orientation and gender identity based discrimination (2012). *Source:* Special Eurobarometer 393 (2012)

discrimination during the examined period: in 2009 44 % of Hungarian respondents thought that it was (very or fairly) widespread, and in 2012 this rate decreased to 42 %. On the other hand, gender identity based discrimination was perceived to be less widespread (34 %) than sexual orientation based discrimination in 2012. However, the latter result can equally signal the lower prevalence of gender identity based discrimination and the lower level of awareness regarding this kind of discrimination in comparison with sexual orientation based discrimination.

Figure 3 provides an overview of the perceived prevalence of discrimination according to eight grounds: ethnic origin, age in two dimensions (being older than 55 and younger than 30), disability, gender, gender identity, sexual orientation, and religion or belief. In Hungary discrimination of older people was seen as the most widespread form of discrimination: 75 % of Hungarian respondents expressed this view, which result was the highest among the examined European countries.

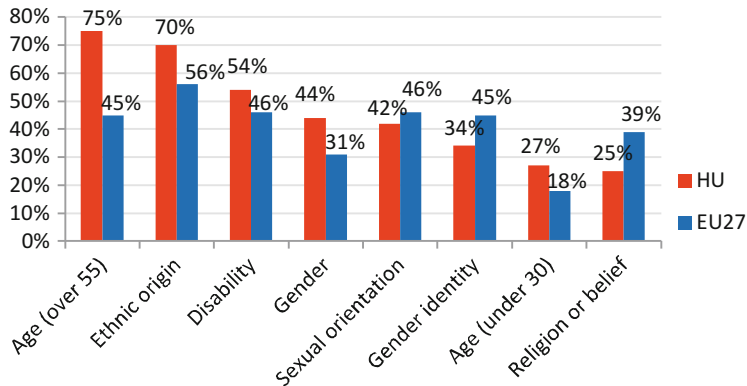


Fig. 3 Perceived prevalence of discrimination on different grounds (2012). *Source:* Special Eurobarometer 393 (2012)

Discrimination on the grounds of ethnic origin was also perceived to be prevalent in Hungary (70 %), followed by disability (54 %), gender (44 %) and sexual orientation (42 %) based discrimination. It was the first time in 2012 when discrimination on the grounds of gender identity and younger age (being under 30) was examined in the Eurobarometer survey: in Hungary more than a third (34 %) of respondents thought that gender identity based discrimination was widespread. 27 % of Hungarian respondents regarded discrimination based on young age as widespread, while 25 % had the same view about discrimination on the grounds of religion or belief. The average values of the European results were lower than the Hungarian ones regarding discrimination on grounds of older age (45 %), ethnic origin (56 %), disability (46 %), gender (31 %) and younger age (18 %), while regarding discrimination on grounds of sexual orientation (46 %), gender identity (45 %) and religion or belief (39 %) the European results were the higher ones. However, it should be pointed out again that these results can equally reflect different levels of discrimination prevalence as well as awareness about discrimination on the basis of the examined grounds. In any case, in comparison with the European findings the Hungarian results reflect lower levels of discrimination prevalence or discrimination awareness.

Figure 4 summarizes the rates of respondents who reported having lesbian, gay or bisexual friends or acquaintances in selected European countries in 2008 and 2012 (by showing the proportion of the “Yes” answers to the questions “Do you have friends or acquaintances who are homosexual?” in 2008 and “Do you have friends or acquaintances who are lesbian, gay or bisexual?” in 2012), while Fig. 5 summarizes the rates of respondents who reported having transsexual or transgender and lesbian, gay or bisexual friends or acquaintances in 2012 (by showing the proportion of the “Yes” answers to the questions “Do you have friends or acquaintances who are transsexual or transgender?” and “Do you have friends or acquaintances who are lesbian, gay or bisexual?”).

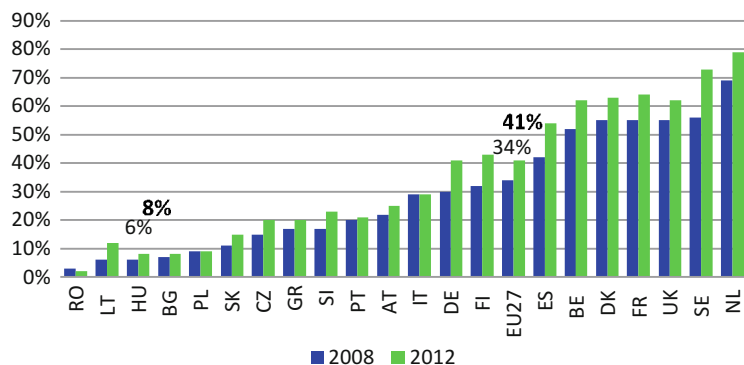


Fig. 4 Having homosexual/lesbian, gay or bisexual friends or acquaintances. *Source:* Special Eurobarometer 296, 393 (2008, 2012)

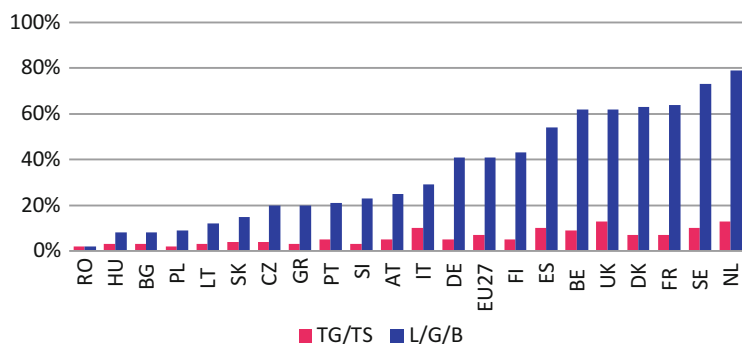


Fig. 5 Having transsexual/transgender and lesbian, gay or bisexual friends or acquaintances. *Source:* Special Eurobarometer 393 (2012)

According to the Eurobarometer findings, direct social contact with citizens from social minority groups can have a positive effect on discrimination awareness: thus a higher level of sexual orientation based discrimination awareness can be expected in countries where people have more gay, lesbian, bisexual, transsexual or transgender friends and acquaintances. In 2008 only 6 % of Hungarian respondents reported having homosexual friends or acquaintances, while the EU27 average was 34 %. By 2012 there was a slight increase in both rates: in Hungary 8 % of respondents reported having lesbian, gay or bisexual friends or acquaintances, and the European average was 41 %.

On the basis of these results, it can be assumed that in Hungary, similarly to other post-socialist countries such as Romania, Bulgaria and Poland, there is very low level of awareness regarding sexual orientation based discrimination in comparison with other Western and Northern European countries. Regarding transsexual or transgender friends and acquaintances, the figures are even lower than in the case of having lesbian, gay or bisexual friends: in 2012 only 3 % of Hungarian respondents

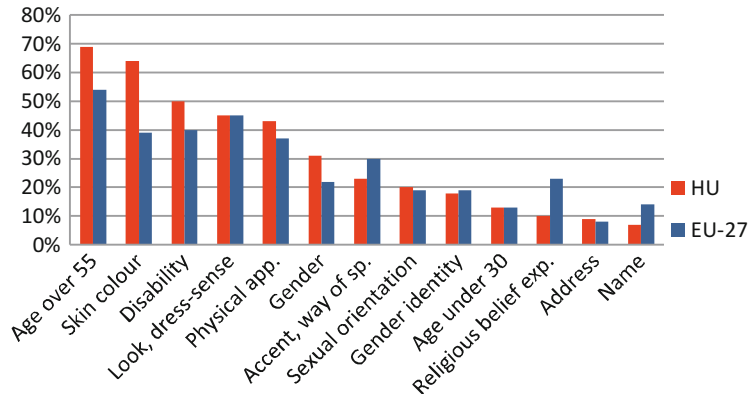


Fig. 6 Perceived potentially disadvantageous factors for job applicants in Europe and Hungary (2012). *Source:* Special Eurobarometer 396 (2012)

reported having transsexual or transgender friends, while the European rate was 7 %.

In the 2012 survey, three aspects of equal opportunities in employment were examined: factors that can put job applicants at a disadvantage; support for measures to promote diversity in the workplace; and perceptions about whether enough is being done to promote diversity. In order to test perceptions of equal opportunities in access to employment, respondents were asked which factors might put job applicants at a disadvantage if a company had to choose between two candidates with otherwise equal skills and qualifications (The question was the following: “When a company wants to hire someone and has the choice between two candidates with equal skills and qualifications, which of the following criteria may, in your opinion, put one candidate at a disadvantage?”). These factors included the job applicant’s age (being over 55 or being under 30), look (manner of dress or presentation), disability, skin color or ethnic origin, physical appearance (size, weight, face etc.), way of speaking (accent), expression of a religious belief (such as wearing a visible religious symbol), gender, sexual orientation, gender identity, name, and address. Figure 6 provides an overview of the Hungarian and the European results of 2012. It shows that 19 % of the European and 20 % of the Hungarian respondents thought that the candidate’s sexual orientation would put a job applicant at a disadvantage, while 19 % of the European and 18 % of the Hungarian respondents thought the same regarding gender identity.

Figure 7 compares the results of the same question from 2009 to 2012. However, in 2009 smoking was still included among the potentially disadvantageous factors, while in 2012 three new factors were added: age over 50 and age under 30 replaced “age”, and it was the first time that gender identity was included into this question. Regarding sexual orientation in 2009 16 %, while in 2012 20 % of the Hungarian respondents thought that being gay or lesbian would put a job applicant at a disadvantage. Regarding gender identity in 2012 18 % of the Hungarian

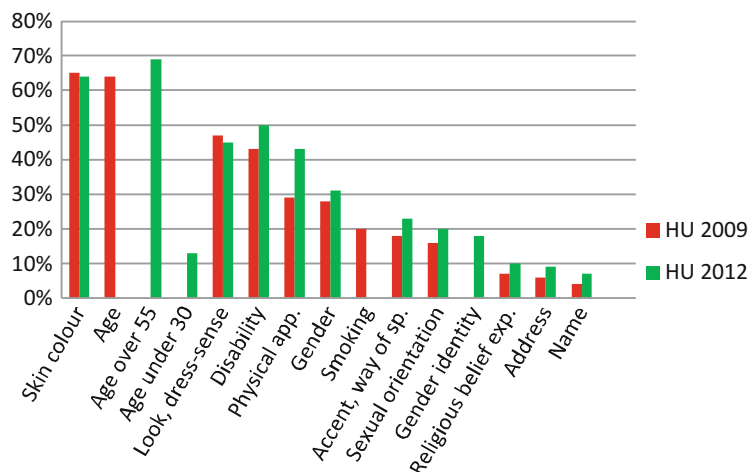


Fig. 7 Potentially disadvantageous factors for job applicants—Hungarian data from 2009 to 2012. *Source:* Special Eurobarometer 317, 396 (2009, 2012)

respondents thought that being transgender or transsexual would put a job applicant at a disadvantage.

Additionally, both in 2009 and 2012 the surveys included questions on the perceived effects of the economic crisis on discrimination in the labor market as well as policies promoting equality and diversity. In 2009 37 % of the European and 40 % of the Hungarian respondents thought that the economic crisis would contribute to an increase of discrimination on the basis of sexual orientation in the labor market. In 2012, 36 % of the European and 40 % of the Hungarian respondents thought that the economic crisis was indeed contributing to the increase of this specific form of discrimination, while 41 % of the European and 39 % of the Hungarian respondents thought the same regarding gender identity based discrimination.

In 2012 the majority of the European respondents (54 %) and 61 % of the Hungarian respondents shared the view that due to the economic crisis, policies promoting equality and diversity are regarded as less important and receive less funding. Respondents were also asked to rate the effectiveness of efforts made in their country to fight all forms of discrimination: in Hungary the majority view (53 %) was that the measures to fight all forms of discrimination were ineffective, and only 11 % thought that these measures were very effective, while European respondents seemed to be more satisfied with the developments in this field (only 31 % of them said that the efforts to fight discrimination were ineffective, and 22 % reported that they were very effective). Regarding sexual orientation and gender identity based discrimination only 10 % of Hungarian respondents agreed that enough is being done to promote diversity in their work place as far as sexual orientation and gender identity are concerned, while about every fifth respondent (21 and 22 %) disagreed with this statement. Additionally, 9 % agreed that “there is

no need to promote diversity” concerning sexual orientation and 6 % expressed the same view regarding gender identity.

On the basis of the results of the Special Eurobarometer surveys, Hungary can be described as a country characterized by a moderate level of awareness of sexual orientation and gender identity based discrimination, where most people do not have direct social contact with (openly) LGBT people. In the context of the workplace, sexual orientation and gender identity were not seen as being potentially very disadvantageous factors for job applicants. At the same time most Hungarians think that there is not enough being done to promote diversity in their work place as far as sexual orientation and gender identity are concerned, while being convinced that due to the economic crisis, policies promoting equality and diversity are regarded as less important and receive less funding.

3 The Potential Misfit Between LGBT People and Their Workplace Environment

A useful theoretical paradigm describing the links between the individual and the environment is the Person-Environment Fit Theory (Edwards et al. 1998) that proposes that stress arises from a misfit between individuals and their environment. Thus we can assume that if the sexual orientation and gender identity expression of LGBT people does not match with the heteronormativity—and, in some cases, the expressed homophobic and transphobic climate—of many workplaces, it can lead to experiences of minority stress on the part of LGBT employees (Waldo 1999). The concept of minority stress is based on the premise that LGBT people in a heterosexist social environment are subjected to chronic psychosocial stress related to their stigmatization. Minority stressors include internalized homophobia, the internalized negative attitudes that LGBT individuals can have about their own sexuality and gender identity expression; stigma consciousness, related to expectations of rejection and discrimination; and actual experiences of discrimination and violence that can range from hearing an anti-gay joke to being physically hurt (Meyer 1995, 2003; Kelleher 2009). LGBT-specific minority stressors were shown to affect the mental and physical well-being of LGBT people, and predict negative health outcomes from a young age (Kelleher 2009; Berghe et al. 2010; Ingram and Smith 2004). Similar to experiences of young LGBT people at school, the sense of belonging to a workplace, referring to feelings of being accepted, respected, integrated, and supported within a given environment (Osterman 2000), can be reduced by manifestations of “occupational heterosexism” (McDermott 2006, p. 195).

Concerning the negative work-related experiences of LGBT people, it was shown that “the bulk of the evidence from studies by economists and others fits the hypothesis that lesbian, gay and bisexual people face employment discrimination in the labor market in the United States and in some other countries” (Badgett

2006, p. 161). Nowadays, when the beneficial effects of paid employment on health, compared with those of unemployment and economic inactivity, are widely recognized (McDermott 2006), there is increased attention paid to factors that can hinder the employment prospects of potential employees. Regarding the situation of LGBT people in the labor market, there is growing empirical evidence indicating that the perception of being LGBT can be a factor preventing even mere entry into the labor market: for example, Weichselbaumer (2003) examined discriminative practices in hiring lesbian women in Austria, and Drydakis (2009) showed that gay men have poorer market hiring prospects in Greece than their heterosexual counterparts.

In a Hungarian LGBT discrimination survey, conducted in 2007 ($N = 1122$) more than a third (36 %) of respondents reported negative experiences in relation to the workplace, spanning a wide spectrum of phenomena including not getting promoted, being dismissed or not even getting the job in the first place (Takács et al. 2008). Workplaces were often described as having a heteronormative climate, where everyone is assumed to be heterosexual. International research findings also indicate that the risks of being out as an LGBT person in the workplace can lead to increased levels of workplace discrimination and stress, the loss of advancement opportunities and less positive regard by co-workers (Brenner et al. 2010). On the other hand, while coming out can lead to more external stressors, such as victimization, it can also decrease internal stressors by contributing to the development of a more positive self-image (DiPlacido 1998), and may bring increased psychological well-being and less discordance between vocational and non-vocational life spheres (Brenner et al. 2010). Other studies found that “out” employees were characterized by higher job satisfaction, more commitment to their organization, less conflict between work and home, and they also perceived top management to be more supportive of their rights (Day and Schoenrade 1997; Griffith and Hebl 2002). Additionally, it was also emphasized that being out can potentially lead not only to higher levels of individual performance but also to a higher level of organizational performance (Powers 1996). For example, higher levels of organizational success can be achieved by increasing specific “organizational citizenship behaviors” (OCBs), especially “helping behaviors” on behalf of as well as towards LGBT co-workers, reflecting “voluntary efforts intended to help others or prevent the occurrence of problems in the workplace” (Brenner et al. 2010, p. 324).

According to the findings of a focus group research-based Hungarian qualitative study on homophobia and transphobia, conducted in 2010, participants agreed that it is easy to avoid discrimination if one’s sexual orientation related issues are kept in secret (Takács and Dombos 2012). However, it was also recognized that this self-constrained silencing itself constitutes discriminating disadvantage. Some participants reported on experiences of LGBT people internalizing the majority’s (hetero) normative perspectives and in this context coming out was interpreted as a form of self-protection from minority stress and unnecessary loss of energy. This approach was based on the recognition that while secrecy can contribute to the maintenance of one’s social integrity by helping to avoid stigmatization, at the same time it can

also have serious negative consequences, including stress deriving from information management and leading a double life.

According to the results of the most recent Hungarian LGBT discrimination survey, conducted in 2010 ($N = 2066$) more than half (56 %) of LGBT respondents reported that people almost never or only very rarely assume their LGBT identity, while only 2 % of them said that they are almost always assumed to be LGBT (Dombos et al. 2011). Comparable results were shown by another Hungarian survey where 60 % of LGB respondents ($N = 200$) reported that most people would never guess that they are lesbian, gay or bisexual, while it was only 6 % of male respondents and 11 % of female respondents who said that they are often identified as lesbian or gay (EBH 2011). These findings can empirically support the assumption about the limited social visibility of LGB people: as most of them are hard to recognize by their bodily features or appearance at the first sight, most of the time it is up to them whether they share the information on their sexual orientation and/or gender identity with others, and dare to risk being excluded from the ordinary functioning of heteronormative society. It seems to be a common experience of LGBT people that they can come out in different ways to different degrees in different social contexts—but in 2010 most (85 % of) LGB respondents agreed with the statement that one cannot lead a complete life without being open about their sexual orientation (Dombos et al. 2011).

Regarding economic activity, Hungarian LGBT surveys tend to show relatively high levels of employment and low levels of unemployment. These features can reflect the sample composition, where people from Budapest and those with higher levels of education tend to be over-represented. In 2010, for example, 58 % of the LGBT respondents were employed, 11 % were self-employed or had only odd jobs, 22 % were studying, and 6 % were unemployed (Dombos et al. 2011)—while the average rate of unemployment among the Hungarian population aged 25–54 was around 10 % (KSH 2012). At the same time, the labor market situation of trans people seemed to be much worse than the average within the LGBT sample: their unemployment rate was for instance double (12 %) in comparison with that of the others. This tendency was also reflected in the fact that 62 % of trans people reported on experiencing at least 3 months long unemployment period in their life, while only 39 % of cisgender respondents had the same experience.

The available Hungarian research findings suggest that most trans people are in a very vulnerable situation in the Hungarian labor market. According to a representative of the TransVanilla Transgender Association (interviewed by the author in December 2012) “if a person’s appearance does not fit into any genders, it will put the person at such a disadvantage that cannot be compensated for. Trying to get a job by a recognizable transgender person in the Hungarian labor market is mission impossible”. Trans people can face serious educational disadvantage due to problems of fitting into the traditionally gender-conform school environments. Gender non-conformity or “gender atypicality” has been shown to be associated with increased risk of victimization, harassment, and even suicide of LGBT youth in the international literature (Remafedi et al. 1991; D’Augelli 2003). Educational disadvantage, often manifested in high levels of early drop-out rates, can lead to

limited career opportunities. In some cases transsexual people can get into such a desperate situation, that the only work that is available for them is prostitution, but this is not typical in Hungary.

Transsexual people—especially during their transition period—can face specific difficulties as gender re-assignment treatments can take longer periods of time, when transsexual employees have to stay away from their workplace, and longer leaves are typically not regarded favorably by employers. In this respect transwomen (MtF) can face more problems, as a transman activist explained (in an interview conducted by the author in December 2012): for transmen (FtM) it takes about half a year of hormone treatment that the outside world would see him as a “real man”, while for transwomen to reach “convincing” transition results can be more complicated. Giving a convincing gender performance can be crucial in certain jobs: participants of a trans focus group interview (conducted in November 2012 by the author) reported on hiring problems they have encountered in relation to not having the “right voice”, the “right look”, and the “right name”, or the combination of any of these. Those who started their gender transition in a workplace complained that co-workers still call them by their old name, or they don’t want to see them in the changing room or using the toilet that would accord with their new gender.

In comparison with LGB employees trans people can have specific claims about what makes a workplace trans-friendly, such as having gender-neutral toilets and dressing rooms that can be used by everyone, not just “gender-neutrals”. These demands are not always easy to reconcile with specific claims voiced by women’s groups about what can make a workplace safe for women, such as providing separate, safe facilities for them. However, it should be noted that in the present-day Hungarian labor market context the introduction of gender-neutral toilets and dressing rooms does not seem to be an urgent priority either. Another very important issue for trans people is having effective protection of their right to privacy in order to avoid any irrelevant disclosure of their gender history or their former name to the employer and other co-workers. For example, in 2011 the Hungarian Office of Health Authorization and Administrative Procedures found that forcing a transwoman to reveal her trans identity through her pharmacy license was a violation of human dignity (to become a Certified Pharmacist one needs to apply for an official ‘pharmacy license’, with which one can lead a pharmacy in Hungary). The case arose because the Office of the Chief Medical Officer of State refused to issue a new license with just the woman’s new name, insisting that her birth name should be included on the license thereby forcing her to reveal her trans identity every time she produced it. The Office of Health Authorization and Administrative Procedures ordered the Office of the Chief Medical Officer of State to issue a license without reference to the woman’s birth name and gender (ILGA 2011).

Similar to the rest of society, interpreting issues related to sexual orientation and gender identity as a private matter is widespread also among LGBT people. However, at a closer look it is not difficult to see that private matters can often turn up in everyday discussions in the workplace environment, too: LGBT respondents reported that discussions at the workplace frequently cover issues such as

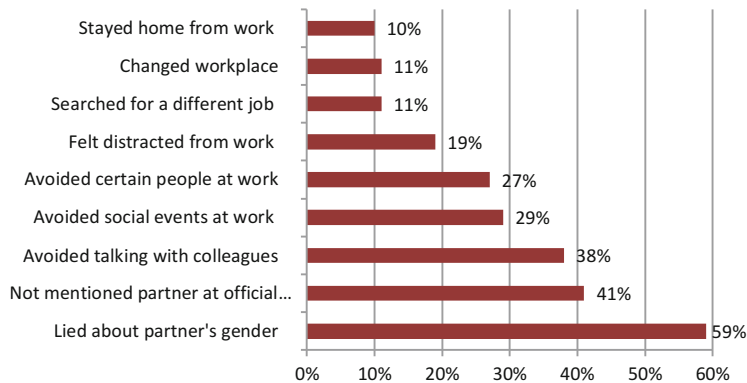


Fig. 8 Negative experiences at the workplace. *Source:* Hungarian LGBT discrimination research—2010 (Dombos et al. 2011)

relationship matters (82 %) or leisure programs such as weekend programs (89 %), or even sex (63 %). Consequently, it is in fact very hard to avoid talking about private matters at the workplace. Thus if one wants to hide the details of one's personal life, it is not enough to keep silent about certain topics; one is often forced to invent lies in order to keep the heterosexual cover story intact. For example, 59 % of the LGBT respondents reported on inventing different-sex partners for themselves when talking with co-workers and 41 % avoided mentioning their (same-sex) partner in official documents at their workplace (Fig. 8).

In 2010 13 % of the LGBT respondents reported on personal experiences of discrimination at their workplace. The most common forms of discrimination included rumors going around about their sexual orientation or gender identity (81 %) and perceptions of the workplace climate as homophobic or transphobic (72 %). 31 % mentioned that they did not get a job because of their sexual orientation or gender identity, 32 % were sacked for the same reason, and 41 % reported on cases of harassment and humiliation. LGBT victims of discrimination were not very likely to submit a formal complaint: only 15 % of them did so. However, the submitted complaints were not handled in a very effective way either: only one fifth of the complaints led to thorough investigation and impeachment of the perpetrator(s). 21 % of the respondents reported that their employer had some sort of equal treatment policy, such as an equal opportunity strategy or code of conduct with anti-harassment clauses, but not all of them included sexual orientation and gender identity as protected categories.

The importance of employment discrimination was reflected by the fact that more than 80 % of all LGBT respondents thought that working towards ending discrimination at the workplace should be one of the main goals LGBT NGOs should prioritize on. Respondents had to evaluate the importance of fifteen issues including same-sex marriage; making the (existing) registered partnership legislation closer to that of marriage; making childbearing easier; eliminating workplace discrimination; eliminating discrimination at school; covering the costs for gender

re-assignment treatments (GRT) by public health insurance; clarifying the legal conditions of gender recognition; combating violent anti-LGBT attacks; struggle against hate speech; struggle against HIV/AIDS; development of health awareness; increasing the level of general social acceptance; increasing the level of self-acceptance; increasing diversity within the LGBT community; organizing LGBT-friendly leisure programs.

Gender recognition refers to the legal recognition of a person's gender reassignment, which entails the following stages: the applicant submits a request to the Ministry of Public Administration and Justice asking for a change of gender and name. The request has to be supported by forensic documents stating that the applicant "suffers from transsexualism" according to criteria set by the WHO's International Statistical Classification of Diseases and Related Health Problems under "F64.0". The request is submitted for a supporting opinion to the Ministry of Human Resources—dealing with issues of public health—and the ministries involved have 30 days to deliver a decision. If authorized, the local registrar is ordered to amend the birth registry within 8 days and accordingly alter the gender and name of the applicant. With the birth registry amended, the applicant is fully recognized in his/her new gender. This procedure is consistently applied but not codified thus there is a fair chance of arbitrariness in its application.

Legislation in force since December 2006 puts gender reassignment treatments (GRT) in the category of treatments only partially funded by public health insurance: a government decree sets fees at 90 % of the cost of the treatment, thus by the National Health Insurance Fund covers only 10 % of the costs of gender reassignment treatments; however, the actual cost paid for treatments can vary significantly between health care providers and on a per patient basis as well. Since there are no established funding protocols, it is not clear 90 % of what to pay, prices are often negotiated on an individual basis.

Table 1 provides an overview of the results according to sexual orientation categories, and shows that 83 % of lesbian women and gay men, 77 % of bisexuals, 84 % of questioning people and 87 % of heterosexuals (who were included into the LGBT sample because of their—transsexual or other trans—gender identity) expressed the view that eliminating workplace discrimination is one of the most important goals LGBT NGOs should strive for. Table 2 provides an overview of the results according to gender identity categories: the same views were expressed by 96 % of transsexual people, 89 % of other trans respondents (who identified with both or neither of the two gender categories), 82 % of the gender non-conformist respondents (whose attributed and preferred gender identities overlapped, however they did not identify completely with their assigned gender roles), and 81 % of cisgender respondents (most of whom were lesbian women and gay men).

Another recent Hungarian survey, focusing on equal treatment awareness of the general population as well as people with disabilities, Roma and LGBT people, found that, in regard to employment-related discrimination experiences, there are differences between female and male respondents within the examined LGBT population (EBH 2011). Female LGBT respondents reported higher levels of disadvantage in the fields of recruitment and selection, as well as promotion,

Table 1 Organizational priority issues of LGBT people according to sexual orientation categories

Priorities—according to sexual orientation	Lesbian/Gay (%) N = 1652	Bisexual (%) N = 513	Questioning (%) N = 152	Heterosexual (%) N = 40
Violent attacks	90	87	84	91
Social acceptance	89	86	85	82
Self-acceptance	88	87	90	78
HIV/AIDS	87	88	84	87
Hate speech	86	82	80	74
Discrimination at school	85	79	85	92
Discrimination at work	83	77	84	87
Health awareness	75	79	78	74
Registered partnership—marriage	68	61	65	48
Having children	68	60	64	61
Internal diversity	65	61	65	68
Leisure programs	61	59	70	56
Same-sex marriage	60	56	59	52
Gender recognition legislation	46	50	48	70
GRT financing	29	34	34	57

Source: Hungarian LGBT discrimination research—2010 (Takács and Dombos 2012)

Table 2 Organizational priority issues of LGBT people according to gender identity categories

Priorities according to gender identity categories	Transsexual (%) N = 75	Other trans (%) N = 91	Gender non-conform (%) N = 143	Cisgender (%) N = 2188
Discrimination at school	98	91	77	84
Discrimination at work	96	89	82	81
Violent attacks	96	94	83	89
Gender recognition legislation	89	70	48	45
Social acceptance	89	94	80	88
Self-acceptance	89	92	80	88
Hate speech	87	92	74	85
GRT financing	85	53	20	29
HIV/AIDS	83	89	89	87
Health awareness	81	87	77	75
Having children	80	70	66	66
Internal diversity	74	78	57	64
Registered partnership—marriage	72	69	64	66
Same-sex marriage	66	74	63	60
Leisure programs	66	74	63	60

Source: Hungarian LGBT discrimination research—2010 (Takács and Dombos 2012)

Table 3 Realization of equal treatment practices at the workplace

Realization of equal treatment practices at the present (or last) workplace (%)	LGBT all	LGBT women	LGBT men
Recruitment, selection	34.5	28	42
Training	35.5	33	38.5
Promotion	31.5	26	37.5
Work contract type	37	33	42
Work conditions	36	33	40
Work tasks	34.5	29	41
Waging	42	34	51
Harassment	25	21	29
Dismissal, discharge	32.5	24	42

Source: Hungarian Equal Treatment Awareness Survey—2010 (EBH 2011)

Table 4 Non-realization of equal treatment practices at the workplace

Non-realization of equal treatment practices at the present (or last) workplace (%)	LGBT all	LGBT women	LGBT men
Recruitment, selection	32	33	31
Training	31	30	32
Promotion	36	36	36
Work contract type	28.5	30	27
Work conditions	29	30	28
Work tasks	31	34	28
Waging	28	29	27
Harassment	37	37.5	36.5
Dismissal, discharge	30.5	33	28

Source: Hungarian Equal Treatment Awareness Survey—2010 (EBH 2011)

work tasks, wage levels, and dismissal and discharge. Tables 3 and 4 provide a detailed overview of the findings, and show that in the view of LGBT respondents the most problematic areas of employment-related discrimination are promotion and harassment. It should also be mentioned that none of the respondents reported on having diversity trainings and communications addressing sexual orientation and gender identity, or Employee Resource Group for LGBT employees, or any (other) openly LGBT employees at their workplace.

Additionally, it should be pointed out that social security services—such as medical care, pension entitlements and other benefits such as parental leave—are available to LGBT workers living in same-sex registered partnerships on the same terms as they are for heterosexual married couples. Act No. XXIX of 2009 on Registered Partnership and Related Legislation and on the Amendment of Other Statutes to Facilitate the Proof of Cohabitation (RPA) was adopted by the Hungarian Parliament in May 2009 and came into force on 1 July 2009. The RPA finally created a family law institution for same-sex couples. The aim of the RPA was to

provide a constitutionally acceptable institution for same-sex couples: the law establishes a general equivalence between marriage and registered partnership with a few notable exceptions. The so-called general reference rule in Article 3 (1) stipulates that unless the RPA otherwise provides or explicitly excludes the application of it, the rules governing marriage shall be applied to registered partnerships as well. The RPA specifies three areas where this general reference rule is not applicable: (1) registered partners cannot jointly adopt a child, registered partners cannot adopt each other's child, and the presumption of paternity is not applicable to registered partners; (2) the rules on bearing each other's name cannot be applied; and (3) registered partners cannot take part in assisted reproductive services. At present there is no Hungarian research data available on the labor-market situation of same-sex registered couples, partly because of the relatively low number of same-sex registered partnerships: between July 1, 2009 and December 31, 2014 altogether 296—206 male and 90 female—same-sex couples entered into registered partnership (KEKKH 2015). The very low number of female same-sex registered partnerships can partly be explained by the institutional discrimination regarding the impossibility of assisted reproduction for women living in a lesbian partnership (See: Article 167 of the Hungarian Health Care Act—No. CLIV. of 1997).

4 Coping with Discrimination: Conclusion

In many cases Hungarian LGBT workers chose to keep their sexual orientation and/or gender identity hidden for fear of negative consequences. Clearly, many LGBT people fear discrimination and harassment if they come out; and the experiences of many open LGBT workers do suggest the fear is often well founded. The very limited visibility of Hungarian LGBT employees also means that employers and other labor market institutions often have the impression that they do not have any LGBT people working for or around them, and thus they do not have to deal with these issues. For many Hungarian employers and employment organizations, LGBT people are always somewhere else: in other workplaces or even in other countries.

In the present Hungarian context it is especially important to focus on potential good practices that would lead to an enabling environment for coming out as LGBT in the world of work. There are very few good practice workplaces in present day Hungary, where diversity and tolerance for LGBT persons is actively promoted. Thus it was very timely that in 2010 the Hungarian Business Leaders Forum published a leaflet on “Lesbian Gay, Bisexual and Transgender Co-workers at the workplace”, which included the following recommended components of developing LGBT-friendly workplaces:

- Formal commitment of the management to diversity and acceptance of LGBT employees (which should be reflected not only in formal mission statements or diversity policies but also in their personal communication);
- Equal Opportunities Plan inclusive of the grounds of sexual orientation and gender identity;
- Re-examination of internal (HR) files and official documents to eliminate discriminative practices towards LGBT employees (with special focus on recognizing same-sex partners);
- Code of Conduct inclusive of anti-discrimination measures on the grounds of sexual orientation and gender identity;
- Diversity trainings (to make all employees aware of these developments);
- Support for LGBT Employee Resource Groups (where LGBT employees and their friends can meet, and LGBT-related employment issues can be discussed in an organized setting).

The recognition that workplaces characterized by a non-homophobic or a non-transphobic climate can provide advantages for all, and creating LGBT-friendly workplaces can actually have more benefits than costs was reflected by the “Nytottak vagyunk” (We’re open) initiative. In 2013 just a few weeks before the Budapest Pride March the We’re Open campaign was launched by three companies (Google, Prezi and espell), encouraging other groups to join them: “Being open is a good thing. As open companies, we regard it as a fundamental corporate value that our employees and our partners are judged solely on the basis of their actions and their work performance, and without regard for their sex, age, sexual orientation, national or ethnic background, political convictions, physical abilities, or other characteristics. Our openness—to new ideas, innovative solutions, to one another and to the world—is one of the keys to our success. We know that there are lots of you out there who share our values. Nyitottakvagyunk.hu (We’re open) has been created for those companies, organizations and communities that would like to join us in a commitment to openness and to inspire others to do the same” (Nytottak vagyunk 2013).—The “We’re open” initiative conveyed several important messages in the world of work in Hungary: not only did it serve as a great example of solidarity with LGBT people but it also pointed to the advantages of providing equal opportunities at the workplace from the business case perspective, which can serve as an inspiration for others, too.

References

- Badgett, M. V. L. (2006). Discrimination based on sexual orientation: A review of the literature in economics and beyond. In W. M. Rogers III (Ed.), *Handbook on the economics of discrimination* (pp. 161–186). Cheltenham: Edward Elgar Publishing.
- Berghe, W. V., Dewaele, A., Cox, N., & Vincke, J. (2010). Minority-specific determinants of mental well-being among lesbian, gay, and bisexual youth. *Journal of Applied Social Psychology*, 40(1), 153–166.

- Brenner, B. R., Lyons, H. Z., & Fassinger, R. E. (2010). Can heterosexism harm organizations? Predicting the perceived organizational citizenship behaviors of gay and lesbian employees. *The Career Development Quarterly*, 58, 321–335.
- Case *P v. S. and Cornwall County Council*. (1996). Case C-13/94, Judgment of the Court of 30 April 1996. Accessed October 25, 2015, from <http://archive.equal-jus.eu/116/>
- D'Augelli, A. (2003). Lesbian and bisexual female youths aged 14 to 21: Developmental challenges and victimization experiences. *Journal of Lesbian Studies*, 7(4), 9–30.
- Day, N. E., & Schoenrade, P. (1997). Staying in the closet versus coming out: Relationships between communication about sexual orientation and work attitudes. *Personnel Psychology*, 50, 147–163.
- DiPlacido, J. (1998). Minority stress among lesbians, gay men, and bisexuals: A consequence of heterosexism, homophobia, and stigmatization. In G. Herek (Ed.), *Stigma and sexual orientation* (pp. 138–159). Thousand Oaks, CA: Sage.
- Dombos, T., Takács, J., PTóth, T., & Mocsonaki, L. (2011). Az LMBT emberek magyarországi helyzetének rövid áttekintése (Short review of the Hungarian situation of LGBT people). In J. Takács (Ed.), *Homofóbia Magyarországon (Homophobia in Hungary)* (pp. 35–54). Budapest: L'Harmattan Kiadó.
- Drydakis, N. (2009). Sexual orientation discrimination in the labour market. *Labour Economics*, 16, 364–372.
- EBH [Equal Treatment Authority]. (2011). *Az egyenlő bánásmóddal kapcsolatos jogtudatosság növekedésének mértéke—fókuszban a nők, a romák, a fogyatékos és az LMBT emberek. Kutatási zárójelentés. [The extent of equal treatment awareness—With special focus on women, Roma, people with disabilities, and LGBT people. Research report]*. Budapest: EBH. Retrieved February 7, 2013 and Accessed October 25, 2015, from http://www.egyenlobanasmod.hu/tamop/data/MTA_1hullam.pdf
- EBH [Equal Treatment Authority]. (2015). Jogesetek (Cases). Accessed October 25, 2015, from <http://www.egyenlobanasmod.hu/article/index/jogesetek>
- Edwards, J. R., Caplan, R. D., & Van Harrison, R. (1998). Person-environment fit theory: Conceptual foundations, empirical evidence, and directions for future research. In C. L. Cooper (Ed.), *Theories of organizational stress* (pp. 28–67). Oxford: Oxford University Press.
- FRA [European Union Agency for Fundamental Rights]. (2014). *EU LGBT survey*. Luxembourg: Publications Office of the European Union.
- Griffith, K. H., & Hebl, M. R. (2002). The disclosure dilemma for gay men and lesbians: “Coming out” at work. *Journal of Applied Psychology*, 87(6), 1191–1199.
- ILGA-Europe. (2011). ILGA-Europe annual review 2011. Accessed October 25, 2015, from http://www.ilga-europe.org/sites/default/files/Attachments/annual_review_inside.pdf
- Ingram, K. M., & Smith, N. G. (2004). Workplace heterosexism and adjustment among lesbian, gay, and bisexual individuals: The role of unsupportive social interactions. *Journal of Counseling Psychology*, 51(1), 57–67.
- KEKKH [Central Office for Administrative and Electronic Public Services]. (2015). Statistical data. Accessed October 25, 2015, from <http://www.kekkh.gov.hu/hu/statisztika>
- Kelleher, C. (2009). Minority stress and health: Implications for lesbian, gay, bisexual, transgender, and questioning (LGBTQ) young people. *Counselling Psychology Quarterly*, 22(4), 373–379.
- KSH. (2012). Gyorstájékoztató—Report on unemployment of 2012 September 28—Hungarian Central Statistical Office. Accessed October 25, 2015, from www.ksh.hu
- McDermott, E. (2006). Surviving in dangerous places: Lesbian identity performances in the workplace, social class and psychological health. *Feminism Psychology*, 16, 193.
- Meyer, I. H. (1995). Minority stress and mental health in gay men. *Journal of Health and Social Behavior*, 36(1), 38–56.
- Meyer, I. H. (2003). Prejudice, social stress and mental health in lesbian, gay and bisexual populations: Conceptual issues and research evidence. *Psychological Bulletin*, 129(5), 674–697.

- Nyitottak vagyunk. (2013). "We're open" site. Accessed October 25, 2015, from <http://nyitottakvagyunk.hu/en>
- Osterman, K. F. (2000). Students' need for belonging in the school community. *Review of Educational Research*, 70, 323–367.
- Powers, B. (1996). The impact of gay, lesbian, and bisexual workplace issues on productivity. In A. L. Ellis & E. D. B. Riggle (Eds.), *Sexual identity on the job: Issues and services*. New York, NY: Haworth Press.
- Remafedi, G., Farrow, J. A., & Deisher, R. W. (1991). Risk factors for attempted suicide in gay and bisexual youth. *Pediatrics*, 87, 869–875.
- Rivers, I., & Carragher, D. J. (2003). Social-developmental factors affecting lesbian and gay youth: A review of cross-national research findings. *Children and Society*, 17, 374–385.
- Special Eurobarometer 296. (2008). Discrimination in the EU in 2008. Accessed October 25, 2015, from http://ec.europa.eu/public_opinion/archives/ebs/ebs_296_en.pdf
- Special Eurobarometer 317. (2009). Discrimination in the EU in 2009. Accessed October 25, 2015, from http://ec.europa.eu/public_opinion/archives/ebs/ebs_317_en.pdf
- Special Eurobarometer 393. (2012). Discrimination in the EU in 2012. Accessed October 25, 2015, from http://ec.europa.eu/public_opinion/archives/ebs/ebs_393_en.pdf
- Švab, A., & Kuhar, R. (2005). *The unbearable comfort of privacy. The everyday life of gays and lesbians*. Ljubljana: Mirovni Inštitut.
- Takács, J. (2007). *How to put equality into practice?* Budapest: New Mandate.
- Takács, J. (2015). *Homophobia and genderphobia in the European Union*. Stockholm: SIEPS.
- Takács, J., & Dombos, T. (2012). Az LMBT-emberek társadalmi integrációját segítő tényezők Magyarországon (Factors contributing to the social integration of LGBT people in Hungary). In I. Kovách et al. (Eds.), *Társadalmi integráció a jelenkori Magyarországon (Social integration in present-day Hungary)* (pp. 383–397). Budapest: Argumentum Kiadó.
- Takács, J., Mocsonaki, L., & PTóth, T. (2008). A leszbikus, meleg, biszexuális és transznemű (LMBT) emberek társadalmi kirekesztettsége Magyarországon. (Social exclusion of LGBT people in Hungary). *Esély*, 19(3), 16–54.
- Takács, J., & Szalma, I. (2011). Homophobia and same-sex partnership legislation in Europe. *Equality Diversity and Inclusion: An International Journal*, 30(5), 356–378.
- Transposition of Recast Directive 2006/54/EC—Update 2011. (2011). Accessed October 25, 2015, from http://ec.europa.eu/justice/gender-equality/files/recast_update2011_final_en.pdf
- Waldo, C. R. (1999). Working in a majority context: A structural model of heterosexism as minority stress in the workplace. *Journal of Counseling Psychology*, 46, 218–232.
- Weichselbaumer, D. (2003). Sexual orientation discrimination in hiring. *Labour Economics*, 10 (6), 629–642.